



DEPARTMENT OF THE ARMY
CALIFORNIA ARMY NATIONAL GUARD
HEADQUARTERS, 1ST BATTALION, 140TH AVIATION REGIMENT (GSAB)
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CADD-AV-CR

1 May 2003

MEMORANDUM FOR All Personnel, 1-140th Aviation Regiment (GSAB)

SUBJECT: Command Policy #2-03, Equal Opportunity Complaint Procedures

1. References:

- a. AR 600-20, Army Command Policy, 13 May 2002.
- b. NGR (AR) 600-21, Equal Opportunity (EO) in the Army National Guard, 5 April 1993.
- c. NGR (AR) 600-22, National Guard Military Discrimination Complaint System, 1 October 1992.

2. The purpose of this memorandum is to establish policy and procedures for equal opportunity complaint procedures.

3. General.

a. All individuals who believe they were subject to harassment or discriminatory practices from a co-worker, supervisor, civil military employee, or vendor have the right to file a complaint. The individual with the complaint can report the conduct to their chain of command, or unit equal opportunity representative.

b. While service members are encouraged to report violations of equal opportunity policies and regulations to their chain of command first, it is not the only channel available to soldiers. They may instead contact other agencies or offices listed below:

- (1) Someone in a higher echelon of the complainant's chain of command.
- (2) Equal Opportunity Advisor or Equal Opportunity Office.
- (3) Inspector General's Office.
- (4) Staff Judge Advocate's Office.
- (5) Chaplain's Office.
- (6) Medical Facilities.
- (7) Military Police/Criminal Investigation Division.

4. Policy/Procedures.

- a. The National Guard policy for discrimination is set forth in NGR 600-22 as follows:

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"The fair, equitable and nondiscriminatory treatment of all members and employees of the National Guard improves morale and productivity, fosters unit cohesion and readiness, and increases combat effectiveness of the Guard. It is the policy of the National Guard to provide equal opportunity for National Guard military personnel or applicants for membership in the National Guard: they will not be subjected to illegal discrimination because of race, color, religion, gender (to include sexual harassment), national origin, age, physical or mental handicap, or retaliation".

b. Commander Responsibilities.

(1) Handle all Equal Opportunity and sexual harassment complaints in accordance with NGR (AR) 600-22, Chapter 2, complaint procedures.

(2) When possible, refer allegations of discrimination for processing at the lowest appropriate leadership level. As a minimum, ensure that all parties involved with the complaint receive counseling on how their actions have affected other individuals within the command or installation.

(3) Regardless of the level of a complaint, I want a briefing on the situation from the chain of command immediately to ensure accomplishment of appropriate action.

(4) Ensure to protect complainants from intimidation, harassment, and acts or threats of reprisal.

c. Individual Responsibilities.

(1) Attempt to resolve a complaint by first informing the alleged offender that the behavior must stop. (Depending on the severity of the offense, this may not always be plausible).

(2) Advise the commander, or supervisor of the specifics of the discrimination or sexual harassment, and afford them the opportunity to resolve the issue. If necessary to file a complaint, you are encouraged to use your chain of command as the primary channel for resolving discrimination complaints and requests for redress of grievances. This provides leaders an opportunity to assist the complainant, inquire into the issues, take corrective action, and to resolve the complaint at the lowest level.

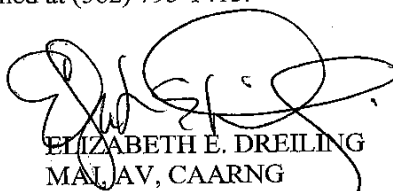
(3) Submit only legitimate complaints and exercise caution against unfounded or reckless charges.

c. Inter-Service Complaints.

(1) In the event of a complaint involving inter-service personnel, process the complaint in accordance with the Agency complaint procedures of the alleged offender.

(2) The Battalion Equal Opportunity Advisors will assist in the complaint process.

5. This policy supersedes the previous command policy, subject as above and the proponent of the equal opportunity complaint procedures is the undersigned at (562) 795-1413.



ELIZABETH E. DREILING
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